IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 16002 of 2004

Between:

SUNKARA RAVI, S/o. Narsaiah,
A.P.S.R.T.C, Mancherial Depot, Adilabad District, R/o. H.No.8-3-50/1, Katta Rampur, Karimnagar District.

..... PETITIONER

AND

1 The Regional Manager, A.P.S.R.T.C. Adilabad, Adilabad District.
2 The Depot Manager, A.P.S.R.T.C. Mancherial Depot, Mancherial, Adilabad District.
3 The Managing Director, A.P.S.R.T.C. Musheerabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate Writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent to dispose of the appeal petition dated 27-2-2003 filed by the petitioner and reminder letters dated 22-12-2003 and 12-4-2004 aggrieved by the order passed by the 1st respondent in letter No.SHC/785(44)/96-RM: ADB dated 7-11-2002 set aside the same and consequently direct the 3rd respondent to dispose of the appeal petition dated 27-2-2003 filed by the petitioner for absorption under ex. casual labour quota, pending the above Writ Petition.

Counsel for the Petitioner: MR.G.CHANDRAIAH

Counsel for the Respondents: SMT.P.RAJANI REDDY (SC FOR APSRTC)

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.16002 OF 2004

ORDER:

The petitioner worked as a casual Cleaner in the respondent-Corporation. While working as Cleaner, he made an application to the post of 'Shramik'. The same was considered by the Divisional Manager, Adilabad and certified that the petitioner was one among the persons, who were engaged as casual labourers.

2. The petitioner contends that as per the policy of the Corporation, the petitioner is entitled for absorption in the Corporation. Though similarly placed persons, who worked along with him, were absorbed, the same benefit was not extended to him even though he is qualified by passing 6th class. The case of the petitioner was rejected on the ground that he is not able to read and write. The petitioner filed W.P.No.6017 of 1996 seeking a direction to the respondents to consider his case for absorption in the quota of ex-casual labour. This Court, while disposing of the writ petition, directed the first respondent to expedite the process and see that the matter is considered within a period of three months from the date of receipt of the order. Subsequently, the petitioner made a representation to the concerned authorities for consideration of his case, but in vain. The petitioner filed a contempt case covered by C.C.No.1427 of 1996. This Court closed the contempt case by observing that the counsel for the Corporation submitted that the case of the petitioner is under consideration. The petitioner filed another writ petition covered by W.P.No.7276 of 2001 seeking a direction to the respondents to consider the case of the petitioner for absorption. While disposing of the writ petition on 17-04-2001, this Court directed the respondents to conduct interview to the petitioner for the post of Shramik for considering his case for appointment. Subsequently, the first respondent issued call letter on 08-10-2002 to the petitioner to attend to the interview on 19-10-2002. Accordingly the petitioner participated in the interview and submitted the required documents to the concerned authorities, but the

authorities rejected his candidature, on the ground that he is not able to read and write, through the proceedings dated 07-11-2002 issued by the first respondent.

3. Aggrieved by the said order, the petitioner preferred an appeal to the third respondent on 27-02-2003 and the same is pending. Subsequently, the petitioner submitted reminding letters on 22-12-2003 and 12-04-2004 requesting the third respondent to dispose of the appeal petition. Since the third respondent did not pass any orders till now, the petitioner approached this Court through this writ petition seeking a direction to the third respondent to dispose of the appeal filed by him on 22-07-2003.

4. In the light of the circumstances explained by the petitioner, the third respondent is directed to pass appropriate orders on the appeal petition of the petitioner dated 27-02-2003, according to the Rules and Regulations in force within three months from the date of receipt of a copy of this order.

5. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

09th September, 2004

SKM

TO

1 The Regional Manager, A.P.S.R.T.C. Adilabad,
Adilabad District.
2 The Depot Manager, A.P.S.R.T.C. Mancherial Depot,
Mancherial, Adilabad District.
3 The Managing Director, A.P.S.R.T.C. Musheerabad,
Hyderabad.

4 Two C.D. Copies.